

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ERIC C. THOMPSON,

Plaintiff,

v.

MARTIN O'MALLEY
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER
1:23-cv-996-GRJ

GARY R. JONES, United States Magistrate Judge:

Pending before the Court is the parties' Stipulation for Allowance of Fees under the Equal Access to Justice Act and Costs Under 28 U.S.C. § 1920. (Docket No. 36.) The parties have stipulated that Plaintiff should be awarded thirteen thousand five hundred ninety-seven dollars and twenty cents (\$13,597.20) in attorney's fees, and costs in the amount of four hundred and two dollars \$402.00.

Upon due consideration, it is **ORDERED**:

1. Plaintiff is awarded attorney's fees in the amount of **\$13,597.20**, under the EAJA. The payment of attorney's fees is subject to any offsetting debt owed by the Plaintiff to the United States. Before the Commissioner shall be obligated to pay the EAJA fees and costs, the Commissioner must

determine whether Plaintiff owes a debt to the government. In the event the United States Department of the Treasury determines that Plaintiff does not owe a federal debt, the Commissioner must then pay the fees and expenses directly to Plaintiff's counsel.

2. Plaintiff is awarded costs in the sum of \$402.00, which costs shall be payable from the judgment fund administered by the United States Department of Treasury.

3. The Clerk is directed to terminate as a pending motion, Plaintiff's Motion for Attorney's Fees. (Docket No. 28)

Dated: April 10, 2024

s/ Gary R. Jones

GARY R. JONES

United States Magistrate Judge